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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,698	03/17/2004	Dieter Hoffmann	22879	3788
535	7590	02/01/2005	EXAMINER	
THE FIRM OF KARL F ROSS 5676 RIVERDALE AVENUE PO BOX 900 RIVERDALE (BRONX), NY 10471-0900			TA, THO DAC	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/802,698

Applicant(s)

HOFFMANN, DIETER

Examiner

Tho D. Ta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/26/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: DWG.SHT 6 of German 2,810,681

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The specification and abstract should be review for proper grammar and terminology due to translation.

Appropriate correction is required.

### ***Claim Objections***

2. Claims 12-20 are objected to because of the following informalities: Claim 1, line 12, change "ge nerally" to --generally--; Claim 12, line 7, after "position" add a semicolon (;); claim 12, line 18, there is insufficient antecedent basis for the limitation "the contact-element terminal"; claim 17, line 12, there is insufficient antecedent basis for the limitation "the second contact-element terminal"; claim 18 has improper dependency; claim 18, line 2, there is insufficient antecedent basis for the limitation "the other plug-type terminal"; claim 18, line 4, there is insufficient antecedent basis for the limitation "the contact-element terminal"; claim 19, line 15, there is insufficient antecedent basis for the limitation "the contact-element terminal", claim 20, line 15, there is insufficient antecedent basis for the limitation "the contact-element terminal". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 is indefinite because the specification and the drawing do not disclose that there are two conductive contact elements (one recited in claim 12 and another one recited in claim 17) fixed to the shaft recited in independent claim 12. For purpose of examination, Examiner assumes that "the shaft" recited in claim 17, line 4 is the "second shaft".

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over German 2,810,681 (pages 1 and 2 of the specification) in view of German 70 20 664.

In regard to claims 12, 19, 20, German 2,810,681 discloses in combination with a power track 11 having a slot 12 in which are exposed electrical conductors E, MP, R, S, T, an adapter 10 comprising: a housing 18 having an insert part 20 fittable into the slot 12; a shaft A extending into the insert part 20 and pivotal about a shaft axis in the housing 18 between a use position and a nonuse position; a conductive contact element 30 having a contact MPk projecting radially from the shaft A and engageable with one of the power-track conductors E, MP, R, S, T when the insert part 20 is fitted to the slot 12

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and the shaft A is in the use position, and means including formations (see attached drawing) unitarily formed with the contact element 30 and the shaft A for axially and rotationally fixing the contact element 30 on the shaft A.

However, German 2,810,681 discloses a screw-type terminal clip 29 for fastening to the connector wire of the lamp (see page 2 of the specification) instead of a one-piece plug-type terminal extending generally parallel to the axis. With the device of German 2,810,681 each terminal consists of a base part that is unitary with the contact, an abutment plate with a threaded hole, and a screw fitted to the hole. Thus each contact includes at least three parts. In addition the German 2,810,681 requires space and access for the terminal screws, making assembly very difficult because of the tight quarters.

German 70 20 664 discloses a one-piece plug-type terminal 12 extending generally parallel to the axis of a connector device 1 and a hookup wire 14 provided with another plug-type terminal 15 mated with the one-piece plug type terminal 12 in order to provide a faster installation between the mated terminal 15 and the terminal 12.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify German 2,810,681 by constructing the conductive contact element 30 as taught by German 70 20 664 in order to save connection time.

In regard to claim 13, German 2,810,681 discloses that the contact MPk is unitarily formed with the contact element 30.

In regard to claim 14, German 2,810,681 discloses that the contact element 30 is formed as a spring urging the contact radially outward (see fig. 7).

In regard to claim 15, German 2,810,681 discloses that the control shaft A is at least partially hollow.

In regard to claim 16, German 2,810,681 does not disclose that the control shaft A is formed with a throughgoing passage and the adapter 10 further comprising another feed wire extending through the passage.

German 70 20 664 discloses that the control shaft 3 is formed with a throughgoing passage and the adapter 1 further comprising another feed wire extending through the passage (see fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify German 2,810,681 by constructing the control shaft A as taught by German 70 20 664 in order accommodate more than one wire and thus provide a versatile adapter.

In regard to claims 17, 18 German 2,810,681 discloses in combination with a power track 11 having a slot 12 in which are exposed electrical conductors E, MP, R, S, T, an adapter 10 comprising: a housing 18 having an insert part 20 fittable into the slot 12; a second shaft B extending into the insert part 20 and pivotal about a shaft axis in

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the housing 18 between a use position and a nonuse position; a second conductive contact element 30 having a contact P projecting radially from the second shaft B and engageable with one of the power-track conductors E, MP, R, S, T when the insert part 20 is fitted to the slot 12 and the second shaft B is in the use position, and means including formations (see attached drawing) unitarily formed with the contact element 30 and the second shaft B for axially and rotationally fixing the contact element 30 on the second shaft B.

However, German 2,810,681 discloses a screw-type terminal clip 33 for fastening to the connector wire of the lamp (see page 2 of the specification) instead of a one-piece plug-type terminal extending generally parallel to the axis. With the device of German 2,810,681 each terminal consists of a base part that is unitary with the contact, an abutment plate with a threaded hole, and a screw fitted to the hole. Thus each contact includes at least three parts. In addition the German 2,810,681 requires space and access for the terminal screws, making assembly very difficult because of the tight quarters.

German 70 20 664 discloses a one-piece plug-type terminal 12 extending generally parallel to the axis of a connector device 1 and a hookup wire 14 provided with another plug-type terminal 15 mated with the one-piece plug type terminal 12 in order to provide a faster installation between the mated terminal 15 and the terminal 12.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify German 2,810,681 by constructing the

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conductive contact element 30 as taught by German 70 20 664 in order to save connection time.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**THO D. TA  
PRIMARY EXAMINER**

tdt  
01/27/05